

From: [MichaelA Flagg](#)
To: [Flagg, MichaelA](#)
Subject: Fw: R9 ANP approach
Date: Wednesday, August 14, 2013 5:19:43 PM

Michael Flagg
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----- Forwarded by MichaelA Flagg/R9/USEPA/US on 08/14/2013 05:19 PM -----

From: Meredith Kurpius/R9/USEPA/US
To: Robert Judge/R1/USEPA/US@EPA,
Cc: Elfego Felix/R9/USEPA/US@EPA, Gwen Yoshimura/R9/USEPA/US@EPA, Katherine Hoag/R9/USEPA/US@EPA, MichaelA Flagg/R9/USEPA/US@EPA, Dena Vallano/R9/USEPA/US@EPA, Matthew Lakin/R9/USEPA/US@EPA
Date: 11/01/2012 07:10 AM
Subject: Re: R9 ANP approach

Sounds great - thanks Bob!

P.S. Happy Dia de los Muertos!

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Meredith Kurpius, PhD  
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▼ Robert Judge---11/01/2012 06:52:35 AM---APM meeting for me (is tomorrow). I'm "attending" via a video link. I was going to send out a request

From: Robert Judge/R1/USEPA/US  
To: Meredith Kurpius/R9/USEPA/US@EPA,  
Date: 11/01/2012 06:52 AM  
Subject: Re: R9 ANP approach

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APM meeting for me (is tomorrow). I'm "attending" via a video link.

I was going to send out a request for Agenda items today or tomorrow for the next call. If you are OK with it, I propose to handle your "survey" request (sort of) as follows: Work for you?

Thanks,  
Bob

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blah, blah.....

In addition, Region 9 continues to deal with litigation issues on their Annual Network Plan Approval. They have created a very detailed checklist based on 58.10 and App. A, C, D, and E (as directed in 58.10) to form the basis of and document their approval actions (which can be discussed in more detail later). But in light of those issues, the Region 9 Division Director wants to make sure that they are not

going down a path that other Regions will disagree with. Specifically, the Region 9 Division Director has asked them the following questions:

1. Have other Regions withheld approval of portions of plans (i.e., partial approval of plans)?
2. Have any Regions disapproved portions of plans?
3. Do any Regions have concerns with precedent issues regarding partial approvals/disapprovals of network plans?

Please respond directly to Meredith with this information (and cc me) by COB Nov. 6..

Thanks

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Robert Judge  
Air Monitoring Coordinator (ECA)  
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▼ Meredith Kurpius---11/01/2012 09:41:21 AM---Bob, I forgot to mention in my last email that we need to work this through the other Regions before

From: Meredith Kurpius/R9/USEPA/US  
To: Robert Judge/R1/USEPA/US@EPA  
Date: 11/01/2012 09:41 AM  
Subject: Re: R9 ANP approach

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Bob,

I forgot to mention in my last email that we need to work this through the other Regions before our next RO/OAQPS call. My original email has the set of questions for the Regions. How do you suggest we do this?

-Meredith

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▼ Robert Judge---10/31/2012 12:37:21 PM---Thanks. I just went through this. Very thorough. I find the delegation memo very helpful as it is

From: Robert Judge/R1/USEPA/US
To: Meredith Kurpius/R9/USEPA/US@EPA,
Date: 10/31/2012 12:37 PM
Subject: Re: R9 ANP approach

Thanks. I just went through this. Very thorough. I find the delegation memo very helpful as it is something that we should update- as there have been many changes to 40 CFR Part 58 since the last time my RA delegated to our Office Director.

I think the checklist is a good tool. I wonder out loud if some of the "checklist" items go beyond what is needed as part of the network plan approval. For example, items 37 and beyond seem to get into details beyond the network plan. My view is that we'd have separate ability to deal with a State if they failed to meet those requirements- as they are required by the CFR, but not necessarily by the network plan. (like if they don't submit their certification for a year- does that mean their network plan is disapproved? Or even partially disapproved?)

Another thought is so what do we do if a plan is late- ie, not submitted by July 1 in final form. My sense is that we'd still approve it, if it were otherwise approvable (Think of all the SIP actions we'd be disapproving if they were simply late..) We've not disapproved any plans- to my knowledge. But we've certainly indicated changes that are required. (and in the case of NO2, we deferred approval)

But yes- let's put this on the Agenda for 11/21-- thanks

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▼ Meredith Kurpius---10/30/2012 01:01:25 PM---Bob, The ANP revision and delegation memo would be two potential agenda topics for our next RO/OAQPS

From: Meredith Kurpius/R9/USEPA/US
To: Gwen Yoshimura/R9/USEPA/US@EPA
Cc: Robert Judge/R1/USEPA/US@EPA, Dena Vallano/R9/USEPA/US@EPA, Elfego Felix/R9/USEPA/US@EPA, Katherine Hoag/R9/USEPA/US@EPA, Matthew Lakin/R9/USEPA/US@EPA, MichaelA Flagg/R9/USEPA/US@EPA
Date: 10/30/2012 01:01 PM
Subject: Re: R9 ANP approach

Bob,
The ANP revision and delegation memo would be two potential agenda topics for our next RO/OAQPS call.

-Meredith

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▼ Gwen Yoshimura---10/30/2012 09:55:53 AM---Hi Bob, I don't think we've shared these with you yet. We couldn't find the delegation of authority

From: Gwen Yoshimura/R9/USEPA/US  
To: Robert Judge/R1/USEPA/US@EPA,  
Cc: Dena Vallano/R9/USEPA/US@EPA, Elfego Felix/R9/USEPA/US@EPA, Katherine Hoag/R9/USEPA/US@EPA, Matthew Lakin/R9/USEPA/US@EPA, MichaelA Flagg/R9/USEPA/US@EPA, Meredith Kurpius/R9/USEPA/US@EPA  
Date: 10/30/2012 09:55 AM  
Subject: Re: R9 ANP approach

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Hi Bob,

I don't think we've shared these with you yet. We couldn't find the delegation of authority from our R9 RA to our office chief for Part 58 responsibilities. Therefore, we went through the exercise of creating a confirmation of this delegation. Attached is the "Designation of Authorized Representatives" for Part 58, as well as an action memo explaining what the designation covers. We're happy to share one or both with other regions, should they be interested.

[attachment "20121003\_Region9\_DesignationofAuthorizedRepresentatives\_40cfr58.pdf" deleted by Meredith Kurpius/R9/USEPA/US]  
[attachment "20121003\_Region9\_part58delegation\_actionMemo.pdf" deleted by Meredith Kurpius/R9/USEPA/US]

Thanks!

-Gwen

▼ Meredith Kurpius---10/30/2012 09:26:47 AM---Bob, As you know, we have been revising our Annual Network Plan approval process due to litigation i

From: Meredith Kurpius/R9/USEPA/US  
To: Robert Judge/R1/USEPA/US@EPA,  
Cc: Matthew Lakin/R9/USEPA/US@EPA, Elfego Felix/R9/USEPA/US@EPA, Gwen Yoshimura/R9/USEPA/US@EPA, Katherine Hoag/R9/USEPA/US@EPA, MichaelA Flagg/R9/USEPA/US@EPA, Dena Vallano/R9/USEPA/US@EPA  
Date: 10/30/2012 09:26 AM  
Subject: R9 ANP approach

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Bob,

As you know, we have been revising our Annual Network Plan approval process due to litigation issues. We have created a very detailed checklist based on 58.10 and App. A, C, D, and E (as directed in 58.10) to form the basis of and document our approvals. Our Division Director wants to make sure that we are not going down a path that other Regions will disagree with. Specifically, our Division Director has asked us the following questions:

1. Have other Regions withheld approval of portions of plans (i.e., partial approval of plans)?
2. Have any Regions disapproved portions of plans?
3. Do any Regions have concerns with precedent issues regarding partial approvals/disapprovals of network plans?

Here is the checklist, in case you are curious:

[attachment "ANP checklist - draft4 - 20121012.docx" deleted by Gwen Yoshimura/R9/USEPA/US]

I would be happy to send an email to the Regional air monitoring community but I wanted to coordinate with you as our sublead. Let me know how you think we should solicit this information from the other Regions, noting the timing issue that approval letters are due starting Nov. 1. Thanks!

-Meredith

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